

United States District Court  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

DIANA L. BENEFIEL,  
Plaintiff,

V.

MICHAEL J. ASTRUE,  
*Commissioner of the Social  
Security Administration,*  
Defendant.

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**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 7:11-CV-82-D**

### Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that the Plaintiff's objections to the Memorandum and Recommendations [D.E. 44] are overruled, and the Court adopts the Memorandum and Recommendations [D.E. 43]. Plaintiff's Motion for Judgment on the Pleadings [D.E. 38] is DENIED, Defendant's Motion for Judgment on the Pleadings [D.E. 40] is GRANTED, and Defendant's final decision is AFFIRMED.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **JULY 20, 2012**, WITH A COPY TO:

Pamela Marie Henry-Mays (via CM/ECF Notice of Electronic Filing)  
Amy C. Rigney (via CM/ECF Notice of Electronic Filing)

July 20, 2012  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina